

## (Floor Report)

Senate Chamber,  
Austin, Texas, Sept. 27, 1920.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred House Bill No. 4, has had the same under consideration and I am directed by said committee to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

DEAN, Chairman.

**SIXTH DAY.**

Senate Chamber,  
Austin, Texas.

Tuesday, September 28, 1920.

The Senate met at 10 o'clock a. m., pursuant to adjournment and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bledsoe.	Honkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Carlock.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Caldwell.	Hall.
Dorough.	

Absent—Excused.

Clark.	Westbrook.
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Prayer by the Chaplain, Rev. S. H. Morgan.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

**Petitions and Memorials.**

See Appendix.

**Committee Reports.**

See Appendix.

**Bills and Resolutions.**

By Senator Smith:

S. B. No. 13, A bill to be entitled "An Act creating the Laneyville Independent School District of Rusk County; defining its boundaries; vesting it with the rights, powers, duties, and privileges of districts incorporated for school purposes only under the General Laws; providing for a board of trustees therefor; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

**Senators Excused.**

Senators Bailey and Hall were excused today on account of important business.

**Simple Resolution No. 11**

Senator Dayton sent up the following simple resolution:

Whereas, the Hon. Jas. N. Browning of Amarillo, former Lieutenant Governor of Texas and President of this Senate, is now in the City,

Therefore Be It Resolved, That he be extended the privilege of the floor of the Senate and that he be invited to address the Senate.

BLEDSON,  
CALDWELL,  
DUDLEY,  
DAVIDSON,  
HERTZBERG,  
DAYTON.

The Chair appointed Senators Dayton, Bledsoe, and Buchanan of Scurry to escort the gentleman to the platform.

**Ex-Lieutenant Governor Browning's Address.**

Ex-Lieutenant Governor James N. Browning addressed the Senate in response to the resolution.

**Senate Bill No. 1.**

The Chair laid before the Senate on final passage

S. B. No. 1, A bill to be entitled "An Act to amend Article 7354, Chapter 1, Title 126, Revised Civil Statutes of Texas, and Article 2942, Chapter 4, Title 29, Revised Civil

Statutes of Texas, and Article 2943, Chapter 4, Title 49, Revised Civil Statutes of Texas, and Article 2939, Chapter 4, Title 49, Revised Civil Statutes of Texas. All of said Articles relating to the levy and collection of a poll tax and fixing the qualifications of voters be eliminated from the provisions of all of the said Articles the word "Male" so as to levy and collect from all persons, both male and female, poll taxes, and fixing the qualifications of voters so as to include all persons, both male and female; and providing for the issuance of exemption certificates to persons not subject to the payment of poll tax on January 1st, 1919, and who obtain such exemption certificates shall be eligible to vote in all elections, general and special, held during the remainder of the year 1920; providing penalties for the violation of any of the provisions of this Act, etc.; fixing the venue of suits involving the validity of this Act, etc., and declaring an emergency."

The bill was read third time.

Senator Dean sent up the following amendment:

Amend the bill page 8, line 9, by striking out the words "except for," and substituting therefor the words "prior to."

The amendment was read and adopted by unanimous consent.

Senator Dean sent up the following amendment.

Amend the bill, page 8, line 10, by adding after the words "poll tax," "and who have already obtained exemption certificates as provided for in existing law."

The amendment was read and adopted by unanimous vote.

Senator Woods sent up the following amendment:

Amend Section 13, of S. B. No. 1, as follows:

Add after the word "volition," line 4, page 6, the following words:

"When approved by the County Judge."

The amendment was read and adopted by unanimous vote.

#### Messages from the Governor.

Miss Houghton, a messenger from the Governor, presented herself at the bar of the Senate with the following executive messages:

Governor's Office,

Austin, Texas, September 26, 1920.

To the Texas State Senate:

Gentlemen: I ask the advice, consent and confirmation of the Senate to the following recess appointments:

Commissioner of Insurance and Banking—J. T. McMillin of Greenville, appointed August 1, 1920, vice J. C. Chidsey of Houston, resigned.

State Health Officer—Dr. Oscar Davis of Navasota, appointed September 1, 1920, vice Dr. C. W. Goddard of Holland, resigned.

To be Assistant Adjutant General—Charles Mills Crawford of Childress, appointed September 1, 1920, vice Col. H. C. Smith of Manor, resigned.

To be a Member of the Texas State Text Book Commission—Miss Mary Marrs of Stephenville, appointed September 6, 1920, vice Miss Lizzie M. Barbour of Brownsville, resigned.

To be District Judge 79th Judicial District—Hood Boone of Pharr, appointed September 1, 1920, vice V. W. Taylor of Alice, resigned.

To be District Attorney 7th Judicial District—C. G. Calhoun of Tyler, appointed September 3, 1920, vice D. M. Maynor of Quitman, resigned.

To be District Attorney 23rd Judicial District—C. C. Parker of Wharton, appointed September 3, 1920, to become effective October 1, 1920, vice J. W. Conger of Wharton, resigned.

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, September 28, 1920.

To the Thirty-sixth Legislature in Fourth Called Session:

Gentlemen: At the request of Representative Rogers, I submit for your consideration the following subject to-wit:

"An Act to diminish the civil and criminal jurisdiction of the County Court of Shelby County, Texas; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, September 28, 1920.

To the Thirty-sixth Legislature in Fourth Called Session:

Gentlemen: At the request of various members of your honorable body interested, I submit for your consideration the following subjects, to-wit:

"An Act to amend Article 1451, Title 29, Chapter 1, of the Revised Civil Statutes of 1911 relating to County finances, and requiring the Commissioners Court to examine and correct same, and to publish a complete itemized statement of the financial condition quarterly of the County, and each and every road district therein, and further requiring that said publication be made a matter of record in the minutes of Commissioners Court of said County, and providing a penalty for the Court and each member thereof to fail or refuse to do so and declaring an emergency."

"An Act relating to a special road law for Fannin County, Texas, etc."

"An Act creating the Laneville Independent School District of Rusk County, etc., and declaring an emergency."

"An Act creating Cove Independent School District in Orange County, Texas, etc., and declaring an emergency."

"An Act amending an Act passed by the Thirty-third Legislature in its Regular Session, creating the Eagle Lake Independent School District."

"An Act creating a Prairie Hill Independent School District in Limestone County, Texas, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### Senate Bill No. 1.

Senator Dean moved the final passage of the bill.

The yeas and nays were demanded and the bill was passed finally by the following vote:

Yeas—21.

Alderdice.	Gibson.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Carlock.	Smith.
Cousins.	Strickland.
Davidson.	Suiter.

Dayton.	Williford.
Dean.	Witt.
Dudley.	Woods.
Floyd.	

Nays—6.

Bailey.	McNealus.
Caldwell.	Parr.
Faust.	Rector.

Absent.

Dorough.

Absent—Excused.

Clark.	Westbrook.
Hall.	

#### Senator Rector's Reasons for Voting.

I oppose the bill on the ground that it imposes no poll tax on women, and re-enacts the poll tax on men as a prerequisite to voting. I am opposed to the restriction requiring certain voters to show payment of poll tax before being allowed to vote. I favor all other provisions in the bill.

E. L. RECTOR.

#### Senate Bill No. 9.

Senator Davidson called up from the table.

S. B. No. 9, A bill to be entitled "An Act authorizing cities of one hundred thousand population, or more, situated along or upon navigable streams in the State of Texas and owning and operating municipal wharves, docks and warehouses, for the development of commerce, to appoint Pilot Boards for their respective cities, and granting such cities exclusive jurisdiction over the pilotage of boats between the Gulf of Mexico and their respective ports; prescribing the qualifications of such Pilot Boards; granting such City Councils or Boards of Commissioners the right, power and authority to retain in office, or remove any Branch or Deputy Pilots in office at the time this Act takes effect, and to appoint, suspend or remove from office any and all Branch or Deputy Pilots, prohibiting any member of such Pilot Boards from being directly or indirectly interested in the towing business, or in any pilot boat, or in any other business directly or indirectly affected by, or connected with his du-

ties as such Commissioner of Pilots, granting such cities the right, power and authority to fix rates of pilotage and all needful regulations thereof compatible with the Federal regulations within the limits of their respective ports, and declaring an emergency."

The bill was read second time.

Under the rules House Bill No. 4, on the same subject, was substituted in lieu thereof.

#### House Bill No. 4.

The Chair substituted in lieu of S. B. No. 9 under the rules on the same subject:

H. B. No. 4, A bill to be entitled "An Act authorizing cities of one hundred thousand population, or more, situated along and upon navigable streams in the State of Texas and owning and operating municipal wharves, docks or warehouses, for the development of commerce, to appoint pilot boards for their respective cities, and granting such cities exclusive jurisdiction over the pilotage of boats between the Gulf of Mexico and their respective ports; prescribing the qualifications for such pilot boards; granting such city councils or boards of commissioners the right, power and authority to retain in office, or remove any branch or deputy pilots in the office at the time this Act takes effect, and to appoint, suspend or remove from office any or all branch or deputy pilots, prohibiting any member of such pilot boards from being directly or indirectly interested in the towing business or in any pilot boat, or in any other business directly or indirectly affected by or connected with his duties as such commissioner of pilots, granting such cities the right, power and authority to fix rates of pilotage and all needed regulations thereof compatible with Federal regulations within the limits of their respective ports, and declaring an emergency."

The bill was read second time and passed to third reading.

On the motion of Senator Davidson, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 4 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice. Gibson.

Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Clark.	Hall.
Dorough.	Westbrook.

The bill was read third time and finally passed by the following vote:

Yeas—21.

Bailey.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dudley.	Williford.
Faust.	Witt.
Floyd.	

Nays—3.

Bledsoe.	Suiter.
Hopkins.	

Present—Not Voting.

Woods.

Absent.

Alderdice.	Buchanan of Bell.
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Absent—Excused.

Clark.	Hall.
Dorough.	Westbrook.

#### Senate Bill No. 10.

Unanimous consent was granted to take up out of order,

S. B. No. 10, A bill to be entitled "An Act to amend S. B. No. 92, passed at the Third Called Session of the Thirty-sixth Legislature, entitled, 'An Act to establish a system of public roads and bridges for Tarrant County, and to empower the Commissioners' Court thereof to provide rules and regulations therefor and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes; to

constitute each commissioner ex-officio commissioner of the public roads and bridges of the precinct and to prescribe the powers and duties of the county commissioners; to authorize and regulate the issuance and sale of the bonds under this Act, and to provide the form of indebtedness and for the levy of taxes for such purposes; and to allow the issuance of bonds for the purpose of refunding and bonded or other indebtedness heretofore or hereafter incurred by said county; to regulate the expenditure of moneys arising from the sale of such bonds and from the levy of taxes for roads and bridge purposes; to designate and define certain cardinal roads in the county; to provide for the selection of a county engineer and for the employment of a consulting engineer and to empower the Commissioners Court to make such contracts with respect to the construction, maintenance or repair of roads and bridges that may be necessary and to employ the convicts on said roads and to provide for the compensation of the commissioners for the performance of their duties under the terms of this Act and to prescribe penalties for the violation of this Act and repealing all laws in conflict with the provisions hereof, and declaring an emergency,' by adding Section 27-a thereto so as to enable the county to advance moneys, under proper safeguards and security on the purchase of materials for the construction of roads and the maintenance and repair thereof, and to enter into contracts for such purposes, and to lease, where necessary, railway cars for the delivery of such road building material to the place or places where same is to be used, and repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time.

The committee report that the bill be not printed was adopted.

Senator Carlock sent up the following amendment:

Amend S. B. No. 10, by striking out all of Section 27(a) beginning with the clause, "Provided further," and substitute the following:

"Provided further: That where bids have been sought in the manner prescribed by law for the purchase of road materials, under the conditions and terms named in this section, and satisfactory bids have not been elicited, and a saving in money would accrue to the county by proceeding otherwise, further competitive bids

may be dispensed with; but in all such cases, whether the contract or contracts be let on competitive bids or not, all claims for the purchase of materials growing out of any such contract authorized by this section shall be first submitted to the County Auditor for his examination and approval as now required by law.

"The Commissioners Court shall have the power and authority, where necessary to lease or hire railway cars for the purpose of delivering said road material to the place or places where same is to be used."

The amendment was read and adopted.

The bill was passed to engrossment.

On motion of Senator Carlock, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 10 put on its third reading and final passage by the following vote:

#### Yeas—27.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

#### Absent—Excused.

Clark.	Hall.
Dorough.	Westbrook.

The bill was read third time and finally passed by the following vote:

#### Yeas—27.

Alderdice.	Bledsoe.
Bailey.	Buchanan of Bell.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dudley.	Suiter.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hertzberg.	

Absent—Excused.

Clark. Hall.  
Dorough. Westbrook.

#### Senate Bill No. 8.

The Chair laid before the Senate on the Calendar Senate Bill No. 8.

By Senators Bledsoe, Dean and Page:  
S. B. No. 8, A bill to be entitled "An Act to protect the movement of commerce through the ports of Texas, defining "ports," declaring it to be the policy of the State that the same shall be kept open at all times in order that the movement of commerce through said ports shall not be interfered with; making it unlawful for any person to interfere with such commerce passing through such ports, by interfering with persons engaged in work that is necessary for the movement of commerce; prescribing the punishment to be assessed against the persons convicted of such offense. Persons convicted of any offense under this Act shall not have the benefit of the suspended sentence law. Empowering the Governor to protect the commerce passing through said ports; providing for the use of the Rangers or special Rangers in the enforcement of the provisions of this Act; providing the venue for the indictment and prosecution for violation of this Act; providing that nothing in this Act shall be construed as limiting the power of the Governor to declare martial law and to call forth the militia for the purpose of executing the law, and declaring an emergency."

The bill was read second time.

#### Bills Introduced.

Unanimous consent was granted to send up the following bills,  
By Senator McNealus:

S. B. No. 14, A bill to be entitled "An Act to amend Chapter 63 of the Special Laws of the Thirty-sixth Legislature, passed at the Second Called Session; the same being a special road law for Dallas County, Texas, by adding thereto a new section to be known as Section 12a, conferring additional authority upon the Commissioners of said County as to the purchase and lease of material, machinery and equipment; and providing that under cer-

tain conditions money may be advanced by said County for such purpose, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Gibson:

S. B. No. 15, A bill to be entitled "An act repealing Chapter 32, General and Special Laws enacted by First Called Session of Thirty-fifth Legislature, being an Act granting to Fannin County a more efficient Road Law; providing that General Laws of State in relation to working roads and appointment of overseers shall be applicable to Fannin County, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

#### Executive Session Set.

Executive Session was set for 11 o'clock Friday morning on the motion of Senator Dean.

#### Recess.

The Senate at 12:20 p. m. on the motion of Senator Dayton recessed until 2:30 this afternoon.

#### Afternoon Session.

The Senate was called to order at 2:30 p. m. by Lieutenant Governor Johnson pursuant to recess.

#### Bill Introduced.

Unanimous consent was granted to send up the following bill:

By Senators Hopkins, Williford, Witt, Page and Dayton:

S. B. No. 16, A bill to be entitled "An Act to amend Articles 2949, 2950 and 2953 of the Revised Civil Statutes of the State of Texas of 1911, so as to provide that all poll tax receipts and exemption certificates shall show the political party with which the person to whom the same is issued affiliates; prescribing the form of poll tax receipt and exemption certificate in conformity, and providing that no person shall be permitted to vote or participate in the primary election or convention of any political party where a

poll tax or exemption certificate is required, unless the poll tax receipt or exemption certificate shall show that the person offering to vote affiliates with such political party; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

### Senate Bill No. 8.

The committee report carrying amendments was read and adopted.

The bill was ordered read section by section.

Senator Woods sent up the following amendment to Section 3:

Amend Senate Bill No. 8 by striking out all of Section 3 of said bill and by inserting in lieu thereof the following:

Section 3. It shall be unlawful for any person or persons, by acts of physical violence or intimidation, or by threats of physical violence, or by the use of abusive language to prevent or attempt to prevent any person or persons engaged in loading or unloading any ship or ships at any port or ports within the State of Texas from engaging in, continuing in, or performing the duties of such employment.

Section 3a. It shall be unlawful for any two or more persons to conspire together to prevent or attempt to prevent, by the use of acts of physical violence or intimidation, or by threats of physical violence, or by abusive language, spoken or written, any person engaged in loading or unloading any ship or ships at any port or ports within the State of Texas, from engaging in, continuing in, or performing the duties of such employment.

WOODS,

The amendment was read and adopted.

Senator Woods sent up the following amendment to Section 4:

Amend Senate Bill No. 8 by striking out present Section 4, and renumbering succeeding sections to correspond.

Woods, Witt, Suiter, Strickland, Dayton.

Senator Bledsoe sent up the following substitute to the amendment:

Amend Senate Bill No. 8, as printed, by striking out all of Section 4

and inserting in lieu thereof the following:

Section 4. Any person who shall, through any act of physical violence to any person or persons engaged in loading or unloading any ship or ships in any port in Texas, or who shall, by any threat to use physical violence towards any person or persons loading or unloading any ship or ships at any port in Texas, whether such threat is directly to such person or persons so engaged in person or by writing, by telegraph, by telephone, or in either of said ways, to the wife, mother, father, brother, sister, child or children of such person or persons while so engaged, or during the hours of the day or night when not engaged in such work, which is reasonably calculated, intended or designed to cause such person or persons so engaged to desist from engaging in such work, shall be deemed to have interfered with such person or persons engaged in loading or unloading a ship or ships at a port in Texas.

BLEDSON.

The substitute was read.

Senator Bledsoe moved the adoption of the substitute. The yeas and nays were demanded, and the substitute was adopted by the following vote.

Yeas—14.

Bledsoe.	Faust.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Carlock.	Hopkins.
Davidson.	Page.
Dayton.	Rector.
Dean.	Williford.

Nays—9

Cousins.	Floyd.
Dudley.	Parr.
Smith.	Witt.
Strickland.	Woods.
Suiter.	

Present—Not Voting.

McNealus.

Absent.

Alderdice.	Caldwell.
Bailey.	

Absent—Excused.

Clark.	Hall.
Dorough.	Westbrook.

Senator Carlock sent up the following amendment to the amendment:

Amend the pending substitute offered by Senator Bledsoe to Senate Bill No. 8 relating to Section 4 by adding to the end thereof the following sentence, "Provided that the designation of what constitutes an unlawful interference as defined in this section shall not be held to be exclusive of other violations of Sections 3 and 4 of this Act, coming within the terms of said section."

The amendment was read and adopted.

Senator Witt sent up the following amendment to the amendment as substituted:

Amend substituted amendment to Section 4 by adding after the words, "desist from engaging in such work," the following language, "and does cause such person or persons to desist from engaging in such work."

WITT.

The amendment was read.

The amendment of Senator Witt to the amendment, on the motion of Senator Page, was tabled.

Senator Witt sent up the following amendment to the amendment as substituted.

Amend substitute amendment, adopted for Section 4, on page 2 of S. B. No. 8, by adding after the words "so engaged to desist from engaging in such work," the following words, "because of fear of violence."

WITT.

The amendment was read and on the motion of Senator Dayton, was tabled.

The amendment to Section 4, as substituted, and amended, was adopted.

Senator Woods sent up the following amendment to Section 5:

Amend Senate Bill No. 8, Section 5, by inserting between the words "Engaged," at end of line 1, page 3, Section 5, and "in," at beginning of line 2, page 3, Section 5, the following words, "at any port in Texas."

WOODS.

The amendment was read and on the motion of Senator Page, was tabled.

Senator Carlock sent up the following amendment to Section 5:

Amend Section 5, S. B. No. 8,

line 24, by striking out the phrase "section 3 of."

The amendment was read and adopted.

Senator Suiter sent up the following amendment to Section 5:

Amend S. B. No. 8, page 3, by changing the period at the end of Section 5 to a semicolon and add the following: "Provided that any discharge or lockout of employees by any employer or employers which results in diminishing or curtailing the work of unloading ships at any port of this State shall constitute a violation of this Act and punishable as provided for violations of this Act."

SUITER.

The amendment was read.

Senator Dayton made the point of order that the amendment was not germane to the bill.

The Chair overruled the point of order.

Senator Gibson sent up the following substitute for the amendment by Senator Suiter.

Amend the bill by inserting after the word "Texas," in line 3, page 3, the following: "Be he employer or employee."

GIBSON.

The substitute was read and lost.

The amendment of Senator Suiter was tabled on the motion of Senator Page.

Senator Dayton sent up the following amendment:

Amend Senate Bill No. 8, page 2, line 30, by striking out the words, "from warehouses to wharves," and insert in lieu thereof the words, "to or from places."

The amendment was read and adopted.

#### Senate Bill No. 11.

Unanimous consent was granted to take up and consider.

S. B. No. 11, A bill to be entitled "An Act authorizing the owner of an oil and gas permit heretofore issued by the State of Texas covering University land, who individually or in conjunction with holders of other University land has or have performed certain development work thereunder to designate what is to be known as a University land oil and



gas area to consist of one or more not exceeding six blocks of University land; providing for the extension of permits covering the lands described in such area for five years from date thereof or from the average date of a combination of such permits; providing that the commencement and completion of the development work now required thereon may be commenced and completed respectively at any time before the expiration of such permits or combination of permits as hereby extended; providing for the issuance of leases on the lands covered by such permits if oil or gas in commercial quantities is discovered thereon during the life of such permit; repealing all acts and parts of acts in conflict herewith, and declaring an emergency.

The bill was read second time.

Senator Dudley sent up the following amendment:

Amend Senate Bill No. 11, by striking out all after the enacting clause and adding the following:

Section 1. The owner or owners of a permit heretofore issued by the State of Texas permitting the holder or holders to prospect for oil and gas on University land under the provisions of the existing laws who, at the time this Act takes effect, individually or in co-operation with the holders of permits covering other University land, at some point upon the land covered by such permit, has or have drilled a well to a depth of at least 2 000 feet, shall have the privilege of filing with the Commissioner of the General Land Office, within sixty days from the date upon which this Act goes into effect, an instrument in writing designating what shall be called a University Land Oil and Gas Development Area, which area shall consist of not to exceed six contiguous blocks of University land; provided that the holders of the permit covering land included in such development area, prior to the designation thereof, shall have directly or indirectly contributed to the expense of, or co-operated in the drilling of the above mentioned well, or an additional well or wells located or to be located within said area. Said instrument shall be signed and acknowledged by the owner or owners of the permit covering the land on which said well has been drilled and a filing fee of one dollar shall be paid the Commissioner of the General Land Office for filing

the same. There shall be included in such instrument, or attached thereto, an affidavit of at least three credible persons, citizens of the State of Texas, showing the existence of the facts required for the designation of such development area.

Sec. 2. From and after the designation of any such University Land Oil and Gas Development Area, all permits covering land therein which at the time of such designation are still in force, upon the payment in advance of the ten cents per acre per annum as now provided by law, may continue in force for a term not to exceed five years from the date of the last permit issued on any of the land included in any such development area, and all development work may be commenced and completed within the said period of five years; provided, if such payment should not be so made on any permit included in such area, such permit in arrears shall be cancelled by the Commissioner of the General Land Office.

Sec. 3. Should oil or gas in commercial quantities be discovered during the life of such development area or a portion thereof, a lease may be issued on one or more contiguous permits not to exceed sixteen sections, for each discovery well as now provided by law. The owner or owners of a permit or permits within such development area may relinquish one or more whole sections or the equivalent thereof in a solid body of regular form at any time before applying for a lease by having the relinquishment recorded in the county where the land is located and filed in the General Land Office accompanied by a filing fee of one dollar.

Sec. 4. This Act is not intended to and shall not be construed to apply to public free school land.

Sec. 5. All laws and parts of laws that conflict with this Act are hereby repealed.

Sec. 6. The fact that it is practically impossible to secure the proper development of the oil and gas in the State University land under the present law, a development which is highly desirable and greatly needed at this time, and the near approach of the close of this session creates an emergency, and an imperative public necessity exists that the Constitutional rule that requires bills to be read on three several days in each house be suspended, and that this Act take effect from and after its passage, and it is so enacted.

The amendment was read and adopted.

Senator Dudley sent up the following amendment:

Amend the bill by striking out the caption and adding:

S. B. No. 11, A bill to be entitled "An Act authorizing the owner or owners of an oil and gas permit heretofore issued by the State of Texas covering University land, who, individually or in co-operation with the holders of permits covering other University land, has or have performed certain development work thereunder to designate within sixty days from the date this Act takes effect, what shall be known as University Land Oil and Gas Development Area to consist of not to exceed six contiguous blocks of University land; providing for the extension of permits covering the lands included in such area for a period of five years from the date of the last permit issued on land included therein and providing that all development work may be commenced and completed within said time; providing for the issuance of leases on certain quantities of land included in such area if oil or gas in commercial quantities is discovered thereon during the life of such development area; providing that this Act shall not apply to school land; repealing all acts and parts of acts in conflict herewith, and declaring an emergency."

The amendment was read and adopted.

The bill was passed to engrossment.

On motion of Senator Dudley, the Constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 11 was put on its third reading and final passage by the following vote:

Yeas—22.

Bledsoe.	Buchanan of Bell.
Buchanan of Scurry.	Hopkins.
Carllock.	McNealus.
Cousins.	Page.
Davidson.	Parr.
Dayton.	Rector.
Dean.	Smith.
Dudley.	Suiter.
Floyd.	Williford.
Gibson.	Witt.
Hertzberg.	Woods.

Absent.

Alderdice.	Faust.
Bailey.	Strickland.
Caldwell.	

Absent—Excused.

Clark.	Hall.
Dorough.	Westbrook.

The bill was read third time and finally passed by the following vote:

Yeas—22.

Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carllock.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dudley.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Alderdice.	Faust.
Bailey.	Strickland.
Caldwell.	

Absent—Excused.

Clark.	Hall.
Dorough.	Westbrook.

#### Adjournment.

The Senate at 5:35 p. m. on the motion of Senator McNealus adjourned until 10 o'clock tomorrow morning.

#### APPENDIX.

##### Petitions.

A petition was read from the Houston Union Labor and Label League urging the defeat of the Port Bill.

A letter was read inviting the Senators to go to El Reno September 30, 1920, to meet Governor Cox of Ohio.

##### Engrossing Committee Report.

Committee Room,

Austin, Texas, Sept. 28, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 10 carefully compared and find same correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Sept. 28, 1920.  
Hon. W. A. Johnson, President of the  
Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 1 carefully compared and find same correctly engrossed.

ALDERDICE, Acting Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, Sept. 27, 1920.  
Hon. W. A. Johnson, President of the  
Senate.

Sir: Your Committee on Mining, Irrigation and Drainage, to whom was referred Senate Bill No. 11, beg leave to state that we have examined said bill, and report it back with the recommendation that it do pass.

DUDLEY, Chairman.

(Floor Report)

Senate Chamber,  
Austin, Texas, Sept. 28, 1920.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 14, A bill to be entitled "An Act to amend Chapter 63, of the Special Laws of the Thirty-sixth Legislature passed at the Second Called Session, the same being a special road law for Dallas County, Texas, etc.,"

Has had same under consideration and we beg leave to report same back to the Senate with the recommendation that it do pass and that it be not printed.

Respectfully submitted,  
WOODS,  
WILLIFORD,  
CARLOCK,  
STRICKLAND,  
PAGE.

(Floor Report)

Senate Chamber,  
Austin, Texas, Sept. 28, 1920.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 15, A bill to be entitled "An Act repealing Chapter 32, General and Special Laws, enacted by First Called Session of Thirty-fifth Legislature, being an Act granting

to Fannin County a more efficient road law, etc.,"

Has had same under consideration and we beg leave to report it back to the Senate with the recommendation that it do pass and that it be not printed.

Respectfully submitted,  
WOODS,  
WILLIFORD,  
CARLOCK,  
STRICKLAND,  
PAGE.

Committee Room,  
Austin, Texas, Sept. 28, 1920.  
Hon. W. A. Johnson, President of the  
Senate.

Sir: We, your Committee on Mining and Irrigation, to whom was referred

S. B. No. 12, A bill to be entitled "An Act to amend Chapter 58 of an Act of the Third Special Session of the Thirty-sixth Legislature approved June 9, 1920, the same being:

An Act to amend Section 17 of Chapter 83 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, so as to provide that all proceeds heretofore and hereafter paid and collected arising from activities under such Act affecting lands belonging to the University of Texas except the royalties as provided in said Act shall be credited to the available fund of such institution and shall be held by the Board of Regents of said institution in a special building fund, and shall be expended by them only for the erection of buildings or other permanent improvements; and to provide that all royalties collected or paid under such Act arising from lands belonging to the University of Texas shall be credited to the permanent fund of such institution, and that payment on other areas be credited to the available school fund and repealing all laws and parts of laws in conflict with this Act, and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

DUDLEY,  
RECTOR,  
HERTZBERG,  
BUCHANAN of Scurry,  
PARR,

Committee Room,  
Austin, Texas, Sept. 28, 1920.  
Hon. W. A. Johnson, President of the  
Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 16, A bill to be entitled An Act to amend Articles 2949, 2950 and 2953 of the Revised Civil Statutes of the State of Texas of 1911, so as to provide that all poll tax receipts and exemption certificates shall show the political party with which the person to whom the same is issued affiliates; prescribing the form of poll tax receipt and exemption certificate in conformity and providing that no person shall be permitted to vote or participate in the primary election or convention of any political party, where a poll tax receipt or exemption certificate is required, unless the poll tax receipt or exemption certificate shall show that the person offering to vote affiliates with such political party; and declaring an emergency,

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed in bill form, but printed in the Journal.

DEAN, Chairman.

By Hopkins, Williford, S. B. No. 16.  
Witt, Page,  
Dayton.

#### A BILL

##### To Be Entitled

An Act to amend Articles 2949, 2950 and 2953 of the Revised Civil Statutes of the State of Texas of 1911, so as to provide that all poll tax receipts and exemption certificates shall show the political party with which the person to whom the same is issued affiliates; prescribing the form of poll tax receipt and exemption certificate in conformity, and providing that no person shall be permitted to vote or participate in the primary election or convention of any political party, where a poll tax or exemption certificate is required, unless the poll tax receipt or exemption certificate shall show that the person offering to vote affiliates with such political party; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Article 2949, 2950 and 2953 of the Revised Civil Statutes of the State of Texas be amended so as to hereafter read as follows:

Article 2949. Each poll tax receipt and its duplicate shall show the name of the party for whom it was issued, the payment of the poll tax, the age, race and the length of time the person to whom such poll tax receipt is issued has resided in the State. The length of time he or she has resided in the county, the voting precinct in which he or she lives, except when he or she lives in an unorganized county; the occupation; his or her post-office address, if he or she lives in an incorporated city. The ward, street and number of his or her residence, if numbered, and the length of time he or she has resided in such city or town, and the name of the political party, if any, with which he or she affiliates.

Article 2950. The poll tax receipt shall be in the following form, and numbered consecutively in each book provided for in this title:

#### Poll Tax Receipt.

No.....  
State of Texas, County of.....  
Received of.....on the  
.....day of.....A. D. 19...  
the sum of .....dollars,  
in payment of poll tax for the year  
A. D. 19...  
The said tax payer being duly sworn  
by me, says that he or she is.....  
years old, that he or she resides in  
voting precinct No.....in.....  
County, that his or her race is.....  
that he or she has resided in Texas  
.....years, and in.....  
County.....years, that he or she is  
by occupation.....  
that his or her post office address is  
....., that he  
or she affiliates with the.....  
party.

Article 2953. Every person who is exempted by law from the payment of a poll tax and who is in other respects a qualified voter, who resides in a city of ten thousand inhabitants or more, shall after the first day of October and before the first day of February following, before he or she offers to vote, obtain from the tax collector of the county of his residence a certificate showing his or her exemption from the payment of a poll tax. Such exempt person shall, on oath, state his or her name, county of his or her residence, occupation,

race, age, the length of time he or she has resided in the city, and the ward and voting precinct in which his or her residence is located, the street and number of his or her residence, if numbered. He or she shall also state the grounds on which he or she claims exemption from the payment of a poll tax, and the name of the political party with which he or she affiliates. Such certificate shall be detached from said book, leaving thereunder a duplicate carbon or other copy thereof, which shall contain the same description; and the original shall be delivered, bearing its proper number, to the citizen in person to identify him or her in voting. Certificates of exemption for each precinct shall be numbered consecutively, beginning at one. They shall be in the following form:

Certificate of Exemption from  
Poll Tax.

No. ....  
State of Texas, County of.....  
I, ....., Tax  
Collector for said County, Texas, do  
hereby certify that.....  
personally appeared before me on the  
.....day of.....A. D.  
....., and being duly sworn,  
said his or her name is.....  
that he or she is.....years old,  
that his or her occupation is.....  
....., that he or she has  
resided in Texas for.....years, in  
the county of.....for  
.....years, and in the city of.....  
.....for.....years, that  
he or she now resides in precinct No.  
....., in ward No.....;  
and on.....street, and  
in house No..... (if numbered)  
that he or she is exempt from the payment  
of the poll tax by reason of....  
.....and that he or she  
is a qualified voter under the constitution  
and laws of Texas, and affiliates  
with the.....party.  
(Seal)  
(Signed) .....  
Tax Collector .....  
County, Texas.

Sec. 2. It shall hereafter be unlawful for any person who is required to pay a poll tax or obtain an exemption certificate to vote or participate in the primary election or convention of any political party, unless the poll tax receipt or certificate of exemption shall show that such person affiliates with such political party.

Sec. 3. The importance of this legislation, the near approach of the close

of the Session, create an emergency and an imperative public necessity calling for the suspension of the Constitutional rule requiring bills to be read on three several days, and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

**SEVENTH DAY.**

Senate Chamber,

Austin, Texas,

Wednesday, Sept. 29, 1920.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Faust.
Bailey.	Floyd.
Bledsoe.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Suiter.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.

Absent.

Smith.	Strickland.
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Absent—Excused.

Clark.	Westbrook.
Hall.	

Prayer by Capt. Beth Childs, of Salvation Army.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

**Petitions and Memorials.**

See Appendix.

**Senators Excused.**

Senator Hall and Senator Clark excused indefinitely on account of important business.